

MINUTES OF THE ANNUAL MEETING OF THE ESCALANTE VALLEY
WATER USERS ASSOCIATION, BERYL, UTAH FEBRUARY 3, 1970



The meeting was called to order at 3:30 PM at the Escalante Valley Community Building by Mr. Donald Norseth of the State Engineers Office.

Mr. Norseth reported on the water conditions and general water supply in the local area and on a state-wide basis, summarized the agenda for the meeting and introduced John McGarry who acted as Chairman in the absence of Vern Pickrell.

The following water users were in attendance:

J. E. Moyle	Mason Jones
J. Reed Prince	Sherwood Bracken
Alpine Bowler	Willard Pickering
A. Morley Wilson	Spencer Moyle
Melvin Gardner	Jack E. Moyle Jr.
Clinton Bowler	Harry Randall
Craig Clark	Heber Staheli
Boyd Clark	Robert Holt
Leo Gardner	J. Allyn Rush
Max Cannon	Jay Hunt
Al Pedersen	Lavon Randall
James L. Simkins	Willard Randall
Kenneth W. Carrell	Normand Laub
E. S. Tullis	Albert Holt
Roy P. Urie	Rodney Staheli
Richard F. Jones	Sherwin Adams

The minutes of the annual meeting held at Beryl, Utah on February 4, 1970 were read by the secretary and there being no additions, deletions or corrections, were declared approved as read.

Mr. Frank Reese, Controller of the State Engineers Office read the financial report for 1970. There was much discussion and comments on the report and the attached list of those delinquent in the payment of their assessments. Craig Clark asked Mr. Reese the total amount of money paid into the account over the last ten years. Mr. Reese said he had the information asked for in his office, but was unable to answer the question with the data he had with him. It was indicated that the delinquent accounts were \$343.11 as compared to \$1,108.25 a year ago, indicating that most of the past due accounts were cleared up.

Mr. Albert Holt, Water Commissioner, said that he and representatives of the State Engineers Office had called on many of the farmers and collected a lot of the delinquent accounts, including posting of a couple of wells.

Mr. Albert Holt presented the following figures on last years operation with comparisons to the previous year:

1970		1969
69,433 ac. ft.	Water Pumped	72,821 ac. ft.
6,531 ac. ft.	Surface Water Used	14,482 ac. ft.
205	# Wells	210
10 wells, 1,035 ac. ft.	Overpumpage	13 wells, 830 ac. ft.
75,964 ac. ft.	Total Water Pumped	87,303 ac. ft.

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Mr. Holt discussed the repair of water meters and indicated that he had a supply of water meter parts on hand to take care of most meters being used.

Clinton Bowler asked Mr. Holt if the farmers that were using over their allotment of water were irrigating land not under their original filing. Mr. Holt indicated that this was not the case.

Boyd Clark asked Mr. Holt if the over-pumpers were the same ones each year. Mr. Holt indicated that some of them used over their allotment each year, but that there were some that were over for the first time, and told of some of the circumstances involved. A motion was made, seconded and duly carried for Mr. Holt to submit the names of the water users overpumping their allotment. Mr. Holt did so and then indicated that this information would be in the annual report.

The Chairman called for acceptance of Mr. Holt's report and under a motion by Sherwood Bracken, seconded by Rodney Staheli and duly passed the report was accepted.

The next item on the agenda was the preparation of a budget of salaries and expenses for the coming year. Mr. Holt indicated that it might be proper to resolve some questions prior to the acceptance of the budget for the next year. There is still a problem which will involve a great deal more time and travel for the commissioner with the water users under Pinto Creek and Newcastle. This problem was discussed in detail with the suggestions that the people involved reach a solution to the problem and that the additional cost involved be born by the people involved. It was indicated that all of the water users were assessed equally according to the amount of water used and the courts have recommended the additional actions by the commissioner with regard to this problem.

Various motions were made and considered, followed by considerable discussion on the matter. Normand Laub made a motion that the Commissioner and the directors of the Water Users work with the local people involved in the problem so that a solution can be worked out that will keep the cost to a minimum.

It was finally decided to adopt a budget with all items the same as last year with the exceptions of an increase in the commissioner's salary from \$1,400 to \$1,600, commissioner's travel from \$600.00 to \$800.00 and the necessary increase in the matching social security taxes. This would increase the budget from \$2,325.00 to \$2,750. Motion was made by Clinton Bowler, seconded by Normand Laub to accept and adopt the increase in the budget. Motion carried.

A motion was made by Al Pedersen, seconded by Boyd Clark that the assessment to the water users be based on the figure of \$2,750.00 and the motion carried.

The Chairman indicated that the next item on the agenda was the recommendation to the State Engineer for appointment of a water commissioner. The Chairman indicated board would make the recommendation, but would like some suggestions from the water users present. The chairman indicated that the names under consideration were Mr. J. E. Moyle Jr. and Mr. Albert Holt. A motion was made by Normand Laub, seconded by Jack Moyle and duly passed that

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the board consider the applications and make recommendations to the State Engineer for the appointment of a water commissioner by April 1, 1971. Motion carried.

The Chairman then asked for nominations to fill the expired terms on the board of directors of Vern Pickrell and Sherwood Bracken. The following members were nominated:

✓Sherwood Bracken	by	Craig Clark
Harry Randall	by	Alpine Bowler
Vern Pickrell	by	Reed Prince
✓Willard Randall	by	Dick Jones

The ballots were counted by Lane Moyle, Reed Prince and Dick Jones and Sherwood Bracken and Willard Randall were elected to serve on the board of directors for two years.

While the ballots were being counted Don Norseth reported on House Bill #79 which is before the legislature which might concern the water users and asked them to study this item.

Mr. Norseth also indicated the State Engineer was considering the investment of surplus funds which would bring in a small amount of interest on each water users fund administered by the State Engineer and asked if we would want them to invest our surplus funds. A motion was made by Heber Staheli, seconded by Clinton Bowler that our funds be retained in our individual account. Motion carried.

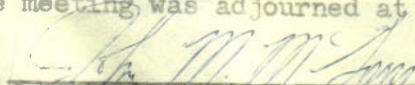
The Chairman then asked for a report from Sherwood Bracken on the recent board of directors meeting held on January 25th to discuss various items. It was reported that the board felt the water users should after full consideration make a recommendation to the state engineer that he establish a definite policy of use of water based on either the amount of acres (acre feet) in the decreed water right or the maximum use of the acre footage allotment with no restriction on acreage. The board didn't feel they could make a definite recommendation, but indicated they thought a definite policy from the State Engineer was needed so the individual water user could make long range plans.

It was also reported that the board felt the State Engineer should establish definite guidelines and methods of measurement which are adequate to spell out what constitutes individual interference and how it can be determined.

Mr. Norseth indicated that the priority date on a change application would revert to the date of the change application rather than the original date of the water right if interference could be established.

Mr. Norseth also indicated that he wasn't prepared to discuss the board's suggestions that had been presented at the present time, but these matters would be discussed in detail at a later meeting which will be held here in the near future on a proposed change application.

There being no further business, the meeting was adjourned at 5:30 PM.


John M. McGarry, Secretary

Minutes of the Board of Directors Meeting of the Escalante Valley Water Users Association, held on February 22, 1971 at the Escalante Valley Community Building at 10:00 am.

The meeting was called for the purpose of selecting a water commissioner to be recommended to the State Engineer for the year 1971 and election of officers of the board of directors for 1971.

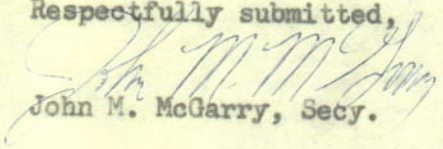
The members of the board in attendance were Alpine Bowler, Sherwood Bracken, Craig Clark, Richard Jones, Albert Harrison and John M. McGarry. Mr. Jack Moyle, Jr. Also Attended.

A motion was made by Sherwood Bracken, seconded by Craig Clark that the board reappoint Albert Holt as water commissioner, and if he is unable to serve that the board will make further consideration of the other applicants; Jack Moyle, Jr. and Clair Jones. Motion passed.

A motion was made by Richard Jones, seconded by Alpine Bowler that the board appoint Sherwood Bracken as Chairman; Craig Clark as Vice-Chairman and John McGarry as Secretary. Motion Passed.

Meeting adjourned at 11:00 am.

Respectfully submitted,


John M. McGarry, Secy.

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